



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

AF/1634
#14

Applicant: Pamela Boyer

Serial No.: 09/639,055

Group Art Unit 3634

Filed: August 5, 2000

Examiner: A. Chin Shue

For: "Safety Harness"

Date: May 13, 2002

D. Wark
6/5/02

To the Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Box: Appeals

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SUPPLEMENTAL APPEAL BRIEF

Sir:

This is a Supplemental Appeal Brief following Notice of Appeal mailed by the applicant on January 14, 2002 and received in the USPTO on February 13, 2002. The Supplemental Appeal Brief is responsive to the Notification of Non-Compliance issued by the Patent Office on May 7, 2002.

Please amend Part 4 of the Appeal Brief to read as follows:

4. STATUS OF AMENDMENTS

An amendment to obviate Section 112, second paragraph rejection was filed subsequent to final rejection. Claims 1 and 3 were amended. Claims 22 and 23 were added. In the Advisory Action of November 6, 2001, Examiner Alvin C. Chin-Shue indicated that the amendments subsequent to filing rejection will be entered.

Please amend Part 7 of the Appeal Brief to read as follows:

7. GROUPING OF CLAIMS

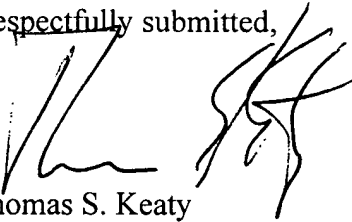
In the Final Action and in the Advisory Action, Examiner grouped Claims 1-4, 22 and 23 together. The applicant believes that Claims 2, 3, 22 and 23 contain independently patentable

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subject matter because Claim 2 recites provision of an elastomeric resilient portion adjacent an apex of each shoulder strap; Claim 3 recites provision of a permanent attachment of the resilient suspender assembly to the shoulder straps; Claim 22 recites that the front ends of the first and second branches of the resilient suspender assembly are fixedly attached specific locations on the shoulder straps; Claim 23 recites that the front ends of the resilient suspender assembly are stitched to respective shoulder straps. For reasons explained in more detail in Part 8 of the Appeal Brief, the applicant submits that these features are not disclosed, taught or suggested by any of the cited prior art references.

It is believed that all requirements indicated in the Notice of Non-Compliance have been satisfied and favorable consideration of the applicant's Appeal is respectfully requested.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:

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On: 5-13-02

By: Pamela Gautreaux
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